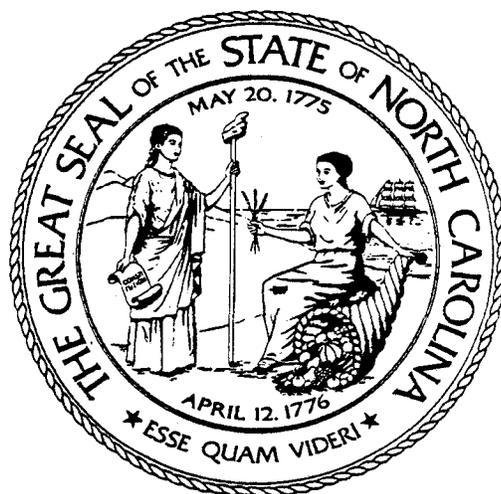


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Assembly

**REPORT OF THE
AGRICULTURE AND FORESTRY
AWARENESS STUDY COMMISSION**



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**REPORT TO THE
1993 GENERAL ASSEMBLY
OF NORTH CAROLINA
1994 SESSION**

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North Carolina General Assembly

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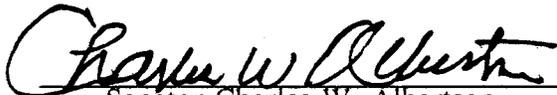
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MAY 24, 1994

TO THE MEMBERS OF THE 1993 GENERAL ASSEMBLY:

The Commission on Agriculture, Forestry and Seafood Awareness herewith submits to you for your consideration its report.

Respectfully submitted,


Senator Charles W. Albertson


Representative Vernon G. James

Cochair
Commission on Agriculture, Forestry,
and Seafood Awareness





INTRODUCTION

History of the Commission

The agriculture, forestry, and seafood industries have always played an essential and vital role in supporting both the rural and urban populations of North Carolina. Over the past decade, all of these industries have experienced severe financial setbacks and instability due to inclement weather, pollution problems, inflation, reduction in foreign exports, and other unavoidable circumstances. In order to insure that the agriculture, forestry, and seafood industries maintained their ability to produce for future needs, the 1983 General Assembly enacted HB 1169 (Chapter 914, 1983 Session Laws) which created the Agriculture, Forestry, and Seafood Awareness Study Commission. The Commission was successful from 1983 through 1985 in making findings and recommendations for the industries of agriculture, forestry, and seafood. Based on this success, the 1985 General Assembly permanently established the Agriculture, Forestry, and Seafood Awareness Study Commission in the law (Chapter 792, 1985 Session Laws) so it could continue to study these three industries. In 1989, the General Assembly established the permanent Joint Legislative Commission on Seafood and Aquaculture in the law (Chapter 802, 1989 Session Laws) to concentrate on the State's production, processing, and marketing of seafood. With the creation of the Commission on Seafood and Aquaculture, the Agriculture, Forestry, and Seafood Awareness Study Commission began to focus more specifically on the needs of the agriculture and forestry industries. Recognizing this change, the 1991 General Assembly, during the Regular Session 1992, passed legislation effective January 1, 1993 removing seafood from both the title and scope of study of the Commission.

Commission's Charge

G.S. 120-154 authorizes the Agriculture and Forestry Awareness Study Commission to:

- * Study the influence of agriculture and forestry on the economy of the State.
- * Develop alternatives for increasing the public awareness of these industries.
- * Study the present status of agriculture and forestry.

- * Identify problems limiting the future growth and development of these industries.
- * Develop an awareness of the importance of science and technological development to the future of these industries.
- * Formulate plans for new State initiatives and support for agriculture and forestry, and for the expansion of opportunities in these industries.

These duties form the foundation of the Agriculture and Forestry Awareness Study Commission's review of these industries and serve as a basis for its final recommendations.

Commission's Membership

The membership of the Commission includes citizens of North Carolina who are interested in the vitality of the agriculture and forestry sectors of the State's economy. The Governor, the Lieutenant Governor, and the Speaker of the House of Representatives each appoint three members to this 17 member commission. The following individuals also serve on the Commission:

- * The Chair of the House Agriculture Committee.
- * The Chair of the Senate Committee on Agriculture, Marine Resources, and Wildlife.
- * The Commissioner of Agriculture, or his designee.
- * A member of the Board of Agriculture.
- * The President of the N. C. Farm Bureau, or his designee.
- * The Master of the State Grange, or his designee.
- * The Secretary to the Department of Environment, Health, and Natural Resources, or his designee.
- * The President of the North Carolina Forestry Association, Inc., or his designee.

The Chair of the House Agriculture Committee and the Chair of the Senate Agriculture Committee serve as the co-chairs of the Agriculture and Forestry Awareness Study Commission.

COMMISSION PROCEEDINGS

The Agriculture and Forestry Awareness Study Commission met three times from January through May of 1994.

JANUARY 24, 1994

The Agriculture and Forestry Awareness Study Commission held its first meeting on January 24, 1994. The Commission discussed the matters referred to it by the Legislative Research Commission and voted to accept the following assignments:

1. Development of markets for animal residues and the recycling and composting of poultry mortalities. (House Bill 421 and Senate Bill 956).
2. Extending the Farmland Preservation Act to include nonprofit corporations. (House Bill 1060).
3. Dairy farmer economic issues. (House Bill 1060).

The remainder of the January meeting consisted of presentations by W.B. Jenkins, President of the North Carolina Farm Bureau Federation, Inc.; Robert Caldwell, Master, North Carolina State Grange; and Robert Slocum, Executive Vice President of the N.C. Forestry Association, regarding each organization's concerns and the current status of agriculture and forestry in North Carolina.

APRIL 6, 1994

At the April 6, 1994 meeting, the Commission began its discussion of recycling and composting poultry mortalities into marketable products. Four members of the North Carolina Contract Poultry Growers Association made presentations on this issue. A primary concern voiced by the growers is the ownership, or responsibility for the disposal, of the dead birds. The Contract Poultry Growers Association maintains that

the companies should bear greater responsibility for mortalities. Concern was also expressed about the practicality of composting as an effective solution to the disposal problem. Rendering was suggested as a cost-effective alternative to composting and pit disposal.

Dr. Jon Ort, Associate Dean of the College of Agriculture and Life Sciences at North Carolina State University, asked the commission to endorse the creation of two new faculty positions at the College. One position would be in soil science and would be located at the Tidewater Research and Extension Center in Plymouth, North Carolina. The faculty member would concentrate on septic tank issues. The second position would be a faculty position in small horticultural crops with a specialty in strawberries. The University is currently doing research on using tobacco greenhouses out of season for the production of strawberries. Strawberries appear to be the one crop that can compete with tobacco as a cash crop.

MAY 16, 1994

On May 16, 1994 the Commission had its final meeting prior to the start of the 1994 Regular Session. Numerous topics were addressed at that time and the Commission voted on the recommendations and legislation they wished to propose to the General Assembly.

Again the topic of recycling and composting poultry mortalities was addressed. The North Carolina Poultry Federation made a series of 6 presentations in support of the industry and in support of composting as a viable solution to the dead bird disposal problem.

The Commission also heard from the North Carolina Beekeepers Association about the need for funding for both research in apiculture and for technical personnel in the Department of Agriculture. The Association urged the Commission's endorsement of Senate Bill 620 (HB755), currently pending in the Senate Appropriations Committee.

Henry Lancaster, Legislative Liason for the Department of Environment, Health, and Natural Resources sought the Commission's support of two bills currently pending

in the House. The first, HB 1388 (pending in House Pensions and Retirement) would appropriate \$450,000 for salary increases for seasonal firefighting personnel. The second, HB1494 (pending in House Rules) would provide increased workers compensation for seasonal firefighting personnel. The Commission voted to recommend that the standing Committees of the House and Senate give prompt and thorough consideration to the two measures. Mr. Lancaster also requested support for proposed joint resolution honoring Smokey Bear's 50th anniversary. The Commission voted to include the resolution as one of its legislative proposals.

Sam Mclawhorn, the Commission's member from the North Carolina Board of Agriculture, told the Commission that Jim Graham, the Commissioner of Agriculture, was opposed to the Governor's request for a 2% cut the NCDA budget. He stated that the Department received only 1/2 of 1% of the total General Fund. He requested that the Commission go on record as opposing the proposed budget cut for the Department.

Dr. Jon Ort spoke next noting that the Board of Governors of The University of North Carolina had requested \$1.6 million dollars in its budget package for agricultural programs. He sought the Commission's endorsement of the budget proposal and support for Senate Bill 1241 that would appropriate \$millions for a new toxicology building at North Carolina State University.

Finally, the Commission reviewed the issues that had been discussed in the previous meetings and voted on the recommendations and legislation that they wished to propose to the 1994 General Assembly.



COMMISSION FINDINGS AND RECOMMENDATIONS

The Commission on Agriculture and Forestry Awareness makes the following recommendations to the 1993 General Assembly (1994 Regular Session):

1. The Agriculture and Forestry Awareness Commission recommends that the General Assembly oppose any cuts in the budget for the Department of Agriculture.
2. The Commission recommends that House Bill 1388 and Senate Bill 1494, dealing with salaries and benefits for seasonal firefighters hired by the Division of Forest Resources, DEHNR, receive prompt and thorough consideration in the Standing committees in the House and Senate to which they are assigned.
3. The Commission recommends that SB620 receive prompt and thorough consideration in the Senate Appropriations Committee.
4. The Commission endorses the Board of Governors of The University of North Carolina budget request of \$1.6 million for agriculture programs.
5. The Commission recommends that Senate Bill 1241, appropriating funds for a new toxicology building at North Carolina State University, be ratified.

The Commission also recommends the following proposed legislation to the 1994 General Assembly:

**AN ACT TO APPROPRIATE FUNDS FOR A FACULTY POSITION
IN SOIL SCIENCE AT NORTH CAROLINA STATE UNIVERSITY**

**AN ACT TO APPROPRIATE FUNDS TO FOR A FACULTY POSITION
IN SMALL HORTICULTURAL CROPS AT NORTH CAROLINA STATE
UNIVERSITY**

**A JOINT RESOLUTION HONORING THE 50TH ANNIVERSARY OF SMOKEY
THE BEAR.**

LEGISLATIVE PROPOSAL I
GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1993

S/H

D

93-RFZ-02
THIS IS A DRAFT 26-MAY-94 09:12:59

Short Title: Funds for Prof. Soil Science

(Public)

Sponsors:

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO APPROPRIATE FUNDS FOR A FACULTY POSITION IN
3 SOIL SCIENCE FOR THE COLLEGE OF AGRICULTURE AND LIFE
4 SCIENCES AT NORTH CAROLINA STATE UNIVERSITY
5 The General Assembly of North Carolina enacts:
6 Section 1. There is appropriated from the General Fund to the
7 Board of Governors of The University of North Carolina the sum of one
8 hundred twenty five thousand dollars (\$125,000) for the 1994-1995 fiscal year
9 to fund a new faculty position in soil science for the College of Agriculture and
10 Life Sciences at North Carolina State University. The position is to be located
11 at the Tidewater Research and Extension Center at Plymouth, North Carolina.
12 Sec. 2. This act becomes effective July 1, 1994.



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LEGISLATIVE PROPOSAL II
GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1993

S/H

D

93-RFZ-03
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14 Short Title: Funds for Faculty Position in Small Hort. Crops. (Public)
15 _____
16
17 Sponsors: _____
18
19 Referred to: _____
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22
23

A BILL TO BE ENTITLED
AN ACT APPROPRIATE FUNDS FOR A NEW FACULTY POSITION AT
THE COLLEGE OF AGRICULTURE AND LIFE SCIENCES AT NORTH
CAROLINA STATE UNIVERSITY IN SMALL HORTICULTURAL
CROPS.

The General Assembly of North Carolina enacts:
Section 1. There is appropriated from the General Fund to the
Board of Governors of (The University of North Carolina the sum of one
hundred twenty five thousand dollars (\$125,000) for the fiscal year 1994-'995
for the purpose of funding a new faculty position in the College of Agriculture
and Life Sciences at North Carolina State University in small horticultural
crops with an emphasis on strawberries.

Sec. 2. This act becomes effective July 1, 1994.



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GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

H

D

HOUSE JOINT RESOLUTION 94-rfz-06
(THIS IS A DRAFT AND NOT READY FOR INTRODUCTION)

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Sponsors: Representative James

Referred to:

A JOINT RESOLUTION HONORING SMOKEY BEAR'S 50TH ANNIVERSARY.

Whereas, forest fires threaten thousands of acres of valuable forestland in North Carolina each year; and

Whereas, a significant rise in woodland home development in North Carolina has increased the risk of forest fires in residential areas; and

Whereas, most of North Carolina's forest fires are started by people and are therefore are preventable; and

Whereas, Smokey Bear, the nation's most widely known guardian of our forests, has reminded all Americans of the value of our natural resources through his important message, "Only YOU can Prevent Forest Fires; and

Whereas, Smokey Bear, over the course of 50 years, has become one of the most effective symbols and tools for educating the public, especially children, about the necessity for fire prevention; and

Whereas, North Carolina is committed to protecting and conserving the natural resources that contribute to the quality of life for its citizens and is committed to the continued education of its young people; Now, therefore,

Be it resolved by the North Carolina House of Representatives, the Senate concurring:

Section 1. The General Assembly hereby proclaims August 9, 1994 to be Smokey Bear Day in North Carolina, in conjunction with the national celebration of Smokey Bear's 50th anniversary. The General Assembly urges the citizens of North Carolina to continue to heed Smokey Bear's message to protect the forestlands of our State.

Sec. 2. This resolution is effective upon ratification.



APPENDIX A

§ 120-150. Creation; appointment of members. There is created an Agriculture, Forestry, and Seafood Awareness Study Commission. Members of the Commission shall be citizens of North Carolina who are interested in the vitality of the agriculture, forestry, and seafood sectors of the State's economy. Members shall be as follows:

- (1) Three appointed by the Governor;
- (2) Three appointed by the President of the Senate;
- (3) Three appointed by the Speaker of the House;
- (4) The chairman of the House Agriculture Committee;
- (5) The chairman of the Senate Agriculture Committee;
- (6) The Commissioner of Agriculture or his designee;
- (7) A member of the Board of Agriculture designated by the chairman of the Board of Agriculture;
- (8) The President of the North Carolina Farm Bureau Federation, Inc., or his designee;
- (9) The Master of the North Carolina State Grange or his designee; and
- (10) The Secretary of the Department of Environment, Health, and Natural Resources.

Members shall be appointed for two-year terms beginning October 1 of each odd-numbered year. The cochairmen of the Commission shall be the chairmen of the Senate and House Agriculture Committees respectively. (1985, c. 792, s. 20.1; 1989, c. 727, s. 218(81).)

§120-151. Advisory Committee.

Upon proper motion and by a vote of a majority of the members present, the Commission may appoint an Advisory Committee. Members of the Advisory Committee should be from the various organizations, commodity groups, associations, and councils representing agriculture, forestry, and seafood. The purpose of the Advisory Committee shall be to render technical advice and assistance to the Commission. The Advisory Committee shall consist of no more than 20 members plus a chairman who shall be appointed by the cochairmen of the Commission. (1985, c. 792, s. 20.1.)

§120-152. Subsistence and travel expenses.

The members of the Commission who are members of the General Assembly shall receive subsistence and travel allowances at the rate set forth in G.S. 120-3.1. Members who are officials or employees of the State of North Carolina shall receive subsistence and travel allowances at the rate set forth in G.S. 138-6. All other members plus the Chairman of the Advisory Committee shall be paid the per diem allowances at the rates set forth in G.S. 138-5. Other members of the Advisory Committee shall serve on a voluntary basis and not receive subsistence and travel expenses. (1985, c. 792, s. 20.1.)

§120-153. Facilities and staff.

The Commission may hold its meetings in the State Legislative Building with the approval of the Legislative Services Commission. The Legislative Services Commission shall provide necessary professional and clerical assistance to the Commission. (1985, c. 792, s. 20.1.)

§120-154. Duties.

The Commission shall bring to the attention of the General Assembly the influence of agriculture, forestry, and seafood on the economy of the State, develop alternatives for

increasing the public awareness of agriculture, forestry, and seafood, study the present status of agriculture, forestry, and seafood, identify problems limiting future growth and development of the industry, develop an awareness of the importance of science and technological development to the future of agriculture, forestry, and seafood industries, and formulate plans for new State initiatives and support for agriculture, forestry, and seafood and for the expansion of opportunities in these sectors.

In conducting its study the Commission may hold public hearings and meetings across the State.

The Commission shall report to the General Assembly at least one month prior to the first regular session of each General Assembly.

APPENDIX B

HOUSE BILL 1319, 2ND EDITION

AN ACT TO AUTHORIZE STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION, TO CREATE AND CONTINUE VARIOUS COMMITTEES AND COMMISSIONS, AND TO DIRECT VARIOUS STATE AGENCIES TO STUDY SPECIFIED ISSUES.

The General Assembly of North Carolina enacts:

PART I.-----TITLE

Section 1. This act shall be known as "The Studies Act of 1993".

PART II.-----LEGISLATIVE RESEARCH COMMISSION

Sec. 2.1. The Legislative Research Commission may study the topics listed below. Listed with each topic is the 1993 bill or resolution that originally proposed the issue or study and the name of the sponsor. The Commission may consider the original bill or resolution in determining the nature, scope, and aspects of the study. The topics are:

- (23) Recycling and Composting Poultry Mortalities (H.B. 421 - James).
- (41) Farmland Preservation Enabling Act, including Dairy Farmer Economic Issues (H.J.R. 1060 - Colton).
- (84) Development of Markets for Animal Residues (S.B. 956 - Albertson).

Sec. 2.2. Committee Membership. For each Legislative Research Commission Committee created during the 1993-94 biennium, the cochairs of the Commission shall appoint the Committee membership.

Sec. 2.3. Reporting Dates. For each of the topics the Legislative Research Commission decides to study under this act or pursuant to G.S. 120-30.17(1), the Commission may report its findings, together with any recommended legislation, to the 1994 Regular Session of the 1993 General Assembly or the 1995 General Assembly, or both.

Sec. 2.4. Bills and Resolution References. The listing of the original bill or resolution in this Part is for reference purposes only and shall not be deemed to have incorporated by reference any of the substantive provisions contained in the original bill or resolution.

Sec. 2.5. Funding. From the funds available to the General Assembly, the Legislative Services Commission may allocate additional monies to fund the work of the Legislative Research Commission.

PART XI.-----APPROPRIATION FOR STUDIES

Sec. 11.1. From the appropriations to the General Assembly for studies, the Legislative Services Commission may allocate funds to conduct the studies authorized by this act.

PART XII.-----EFFECTIVE DATE

Sec. 12.1. This act is effective upon ratification. Part VI of this act is repealed on June 30, 1995.

APPENDIX C

AGRICULTURE AND FORESTRY AWARENESS STUDY COMMISSION MEMBERSHIP 1993 - 1994

Senate Agriculture Committee Chair

Sen. Charles W. Albertson
136 Henry Dunn Pickett Road
Beulaville, NC 28518
(910)298-4223

Lt. Governor's Appointments

Sen. Elaine Marshall
P.O. Box 1660
Lillington, NC 27546
(910)893-4000

Mr. Prince Earl Smith
P.O. Box 18
6222 Burlington Road
Sandalia, NC 27342
(919)449-4981

Sen. James Speed
Rt. 6, Box 542
Louisburg, NC 27549
(919)853-2167

House Agriculture Committee Chair

Rep. Vernon G. James, Cochair
1301 Salem Church Road
Elizabeth City, NC 27909
(919)330-4394

Speaker's Appointments

Rep. Edith L. Lutz
1015 Carpenter's Grove Road
Lawndale, NC 28090
(704)538-7818

Rep. Josephus L. Mavretic
Route 4, Box 262
Tarboro, NC 27886
(919)823-2001

Rep. William L. Wainwright
P.O. Box 33
Havelock, NC 28532
(919)447-7379

Governor's Appointments

Mr. David L. Burns
1204 Shepherd Avenue
Laurinburg, NC 28352
(919)462-2122

Mr. C. Osmond "Ossie" Kearney, Jr.
Route 3, Box 157
Snow Hill, NC 28580
(919)747-5054

Mr. Robert Eric "Rick" Harrell
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Windsor, NC 27983
(919)348-4326

Ex Officio

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Dept. of Agriculture
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(919)733-7125

Mr. John Cyrus
(N.C. State Grange)
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Raleigh, NC 27607
(919)782-6840

Mr. Sam McLawhorn
(Board of Agriculture)
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Mr. Julian Philpott
N.C. Farm Bureau Federation
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(919)733-4984

Mr. Robert W. Slocum, Jr.
Executive Vice President
N.C. Forestry Association
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Raleigh, NC 27608
(919)834-3943

Clerk:

Ms. Marie Sheets
611 Legislative Office Building
O: (919)733-5878
H: (919)851-5267

APPENDIX D

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

S

1

SENATE BILL 620

Short Title: Apiculture Funds.

(Public)

Sponsors: Senators Speed; Albertson, Warren, Kerr, Plexico, and Soles.

Referred to: Agriculture, Marine Resources, and Wildlife.

March 29, 1993

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE INCREASED APICULTURAL SUPPORT AT NORTH
3 CAROLINA STATE UNIVERSITY AND INCREASED APICULTURAL
4 INSPECTION SERVICES AT THE NORTH CAROLINA DEPARTMENT OF
5 AGRICULTURE.

6 Whereas, pollination by honeybees is necessary for many of the
7 commercial fruit and vegetable crops such as apples, blueberries, cucumbers,
8 watermelons, and other vine crops in North Carolina; and

9 Whereas, North Carolina beekeepers contribute over \$6,000,000 annually
10 to the State's economy through the production of honey and beeswax and add an
11 additional \$30,000,000 by increasing the value of pollinated crops such as apples,
12 blueberries, cucumbers, watermelons, and other vine crops; and

13 Whereas, the establishment of two new bee pests (tracheal mites and
14 Varroa mites) has killed up to 30% of the bee colonies on an annual basis in recent
15 years and these losses are expected to continue; and

16 Whereas, the beekeeping industry in North Carolina is the major barrier
17 to the expected arrival of Africanized "killer" bees in the State; and

18 Whereas, continuing programs of research at North Carolina State
19 University and expanded inspection and regulation work by the North Carolina
20 Department of Agriculture are needed to support the beekeeping industry; and

21 Whereas, there is needed an appropriation for these purposes; Now,
22 therefore,

23 The General Assembly of North Carolina enacts:

1 Section 1. There is appropriated from the General Fund to the Board of
2 Governors of The University of North Carolina the sum of forty-five thousand two
3 hundred sixty-six dollars (\$45,266) for the 1993-94 fiscal year and the sum of thirty-
4 nine thousand two hundred sixty-six dollars (\$39,266) for the 1994-95 fiscal year for
5 the purpose of providing funding for apicultural research in the Department of
6 Entomology at North Carolina State University to deal with the problems of tracheal
7 mites, Varroa mites, and the arrival of Africanized bees that affect the State's
8 beekeeping industry.

9 Sec. 2. There is appropriated from the General Fund to the Department
10 of Agriculture the sum of one hundred twelve thousand one hundred fifty-eight
11 dollars (\$112,158) for the 1993-94 fiscal year and the sum of one hundred seven
12 thousand four hundred forty-eight dollars (\$107,448) for the 1994-95 fiscal year for
13 the purpose of providing increased inspection and regulatory services by the Division
14 of Plant Industry to deal with the problems of tracheal mites, Varroa mites, and the
15 arrival of Africanized bees that affect the State's beekeeping industry.

16 Sec. 3. This act becomes effective July 1, 1993.

APPENDIX D

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

S

1

SENATE BILL 1241

Short Title: NCSU Toxicology Building Funds.

(Public)

Sponsors: Senators Albertson, Perdue; Warren, Jordan, Parnell and Hunt.

Referred to: Capital Expenditures and Improvements.

June 16, 1993

1 A BILL TO BE ENTITLED
2 AN ACT TO APPROPRIATE FUNDS FOR CONSTRUCTION OF A
3 TOXICOLOGY BUILDING AT NORTH CAROLINA STATE UNIVERSITY.
4 Whereas, the effects of chemicals on human health and the environment,
5 and the uses of chemicals in industry, agriculture, and everyday life, is a matter of
6 public concern for the people of this State; and
7 Whereas, the North Carolina State University Department of Toxicology
8 has played a significant role in these matters of public concern; and
9 Whereas, the current facilities being used by the Department of
10 Toxicology include six different locations and are no longer adequate; and
11 Whereas, the need for a new facility to house the North Carolina State
12 University Department of Toxicology is critical: Now, therefore,
13 The General Assembly of North Carolina enacts:
14 Section 1. There is appropriated from the General Fund to the Board of
15 Governors of The University of North Carolina the sum of twelve million nine
16 hundred sixty thousand dollars (\$12,960,000) for the 1993-94 fiscal year for the
17 construction of a building to house the Department of Toxicology at North Carolina
18 State University.
19 Sec. 2. This act becomes effective July 1, 1993.



GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

H

1

HOUSE BILL 1388

Short Title: Forestry Seasonal Personnel.

(Public)

Sponsors: Representatives James and Culp.

Referred to: Pensions and Retirement.

May 13, 1993

- 1 A BILL TO BE ENTITLED
2 AN ACT TO MOVE SEASONAL FIRE CONTROL PERSONNEL AND OTHER
3 RECURRING DEPARTMENT OF ENVIRONMENT, HEALTH, AND
4 NATURAL RESOURCES SEASONAL PERSONNEL FROM THE 1984
5 SALARY SCHEDULE TO THE CURRENT ONE, TO ALLOW SUCH
6 EMPLOYEES WHO WORK SIX OR MORE MONTHS PER YEAR TO
7 QUALIFY FOR RETIREMENT AND HOLIDAY BENEFITS, AND TO
8 APPROPRIATE FUNDS.
9 The General Assembly of North Carolina enacts:
10 Section 1. Recurring seasonal personnel in the Division of Forest
11 Resources of the Department of Environment, Health, and Natural Resources utilized
12 for firefighting or other duties who are being paid on the 1984 salary schedule shall,
13 effective July 1, 1993, be paid on the 1992-93 salary schedule.
14 Sec. 2. G.S. 113-56 reads as rewritten:
15 "§ 113-56. Compensation of forest rangers- rangers and other seasonal personnel.
16 (a) Forest rangers shall receive compensation from the Department at a reasonable
17 rate to be fixed by said Department for the time actually engaged in the performance
18 of their duties; and reasonable expenses for equipment, transportation, or food
19 supplies incurred in the performance of their duties, according to an itemized
20 statement to be rendered the Secretary every month, and approved by him. Forest
21 rangers shall render to the Secretary a statement of the services rendered by the men
22 employed by them or their deputy rangers, as provided in this Article, within one
23 month of the date of service, which bill shall show in detail the amount and character
24 of the service performed, the exact duration thereof, the name of each person



GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1993

H

1

HOUSE BILL 1494

Short Title: Workers' Comp/Forest Fires.

(Public)

Sponsors: Representative Warner.

Referred to: Rules, Calendar, and Operations of the House.

May 17, 1993

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE BENEFITS FOR INJURY OR DEATH TO HOURLY
3 EMPLOYEES OF THE DIVISION OF FOREST RESOURCES, DEPARTMENT
4 OF ENVIRONMENT, HEALTH, AND NATURAL RESOURCES INVOLVED
5 IN FIGHTING FOREST FIRES UNDER COMPENSABLE CIRCUMSTANCES.
6 The General Assembly of North Carolina enacts:
7 Section 1. G.S. 97-2(5) reads as rewritten:
8 "(5) Average Weekly Wages. -- 'Average weekly wages' shall mean the
9 earnings of the injured employee in the employment in which he
10 was working at the time of the injury during the period of 52
11 weeks immediately preceding the date of the injury, including the
12 subsistence allowance paid to veteran trainees by the United States
13 government, provided the amount of said allowance shall be
14 reported monthly by said trainee to his employer, divided by 52;
15 but if the injured employee lost more than seven consecutive
16 calendar days at one or more times during such period, although
17 not in the same week, then the earnings for the remainder of such
18 52 weeks shall be divided by the number of weeks remaining after
19 the time so lost has been deducted. Where the employment prior
20 to the injury extended over a period of less than 52 weeks, the
21 method of dividing the earnings during that period by the number
22 of weeks and parts thereof during which the employee earned
23 wages shall be followed; provided, results fair and just to both
24 parties will be thereby obtained. Where, by reason of a shortness

1 that the minimum compensation payable to a volunteer fireman,
2 member of an organized rescue ~~squad~~ or squad, hourly employee
3 of the Division of Forest Resources involved in fighting forest fires,
4 sworn member of an auxiliary police department organized
5 pursuant to G.S. 160A-282, or senior members of the State Civil
6 Air Patrol shall be sixty-six and two-thirds percent (66 2/3%) of the
7 maximum weekly benefit established in G.S. 97-29."

8 Sec. 2. This act is effective upon ratification and applies to all claims
9 filed on or after that date.



